

SENATE RECORD VOTE ANALYSIS

106th Congress
1st Session

Vote No. 197

July 1, 1999, 7:18 p.m.
Page S-8042 Temp. Record

TREASURY APPROPRIATIONS/Federal Employee Abortion Fringe Benefit

SUBJECT: Treasury, Postal Service, and General Government Appropriations Bill for fiscal year 2000 . . . S. 1282.
Boxer motion to table the DeWine amendment No. 1200.

ACTION: MOTION TO TABLE FAILED, 47-51

SYNOPSIS: As amended, S. 1282, the Treasury, Postal Service, and General Government Appropriations Bill for fiscal year 2000, will provide \$27.734 billion in new budget authority (BA) for the Department of the Treasury, Postal Service, Executive Office of the President, and various independent agencies. This amount is \$177.6 million less than provided in fiscal year (FY) 1999 and is \$259.1 million less than requested. Funding for most programs will be at the current rate, though funding for some law enforcement programs will be increased. Funding will include the following:

- Treasury Department, \$12.213 billion, including: Internal Revenue Service (IRS), \$8.191 billion; Customs Service, \$1.782 billion; Secret Service, \$643.7 million; Bureau of Alcohol, Tobacco, and Firearms, \$569.2 million; and Violent Crime Reduction Trust Fund Programs, \$194 million;
- Postal Service, \$93.4 million (including advance appropriations of \$64.4 million);
- Executive Office of the President, \$570.1 million, including: \$205.3 million for High Intensity Drug Trafficking Areas Programs; \$22.0 million for the Office of National Drug Control Policy (ONDCP) and \$31.1 million for the Counterdrug Technology Assessment Center (a new account); and \$127.5 million for the Special Forfeiture Fund administered by the ONDCP (the Special Forfeiture fund is used by the ONDCP to pay for its ongoing anti-illegal drug media campaign; this bill will also provide \$49 million in funds for that campaign out of the Violent Crime Reduction Trust Fund, though those funds will not be available until September 30, 2000); and
- Office of Personnel Management, \$14.355 billion.
- Key provisions include the following: funds will not be used to implement actions called for solely under the Kyoto Protocol

(See other side)

YEAS (47)			NAYS (51)			NOT VOTING (2)	
Republicans (7 or 13%)	Democrats (40 or 89%)		Republicans (46 or 87%)	Democrats (5 or 11%)		Republicans (2)	Democrats (0)
Campbell	Akaka	Kerrey	Abraham	Hatch	Biden	McCain ⁻²	
Chafee	Baucus	Kerry	Allard	Helms	Breaux	Murkowski ⁻²	
Collins	Bayh	Kohl	Ashcroft	Hutchinson	Conrad		
Jeffords	Bingaman	Landrieu	Bennett	Hutchison	Dorgan		
Snowe	Boxer	Lautenberg	Bond	Inhofe	Reid		
Specter	Bryan	Leahy	Brownback	Kyl			
Stevens	Byrd	Levin	Bunning	Lott			
	Cleland	Lieberman	Burns	Lugar			
	Daschle	Lincoln	Cochran	Mack			
	Dodd	Mikulski	Coverdell	McConnell			
	Durbin	Moynihan	Craig	Nickles			
	Edwards	Murray	Crapo	Roberts			
	Feingold	Reed	DeWine	Roth			
	Feinstein	Robb	Domenici	Santorum			
	Graham	Rockefeller	Enzi	Sessions			
	Harkin	Sarbanes	Fitzgerald	Shelby			
	Hollings	Schumer	Frist	Smith, Bob			
	Inouye	Torricelli	Gorton	Smith, Gordon			
	Johnson	Wellstone	Gramm	Thomas			
	Kennedy	Wyden	Grams	Thompson			
			Grassley	Thurmond			
			Gregg	Voinovich			
			Hagel	Warner			

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

crime gun interdiction initiative will be expanded to 10 more cities; new safeguards will be enacted to protect the confidentiality of taxpayer information; reforms will be made to IRS telephone assistance services; the "Federal Employees Child Care Act" will be enacted (that Act will require child care facilities in Federal buildings to comply with State and local licensing requirements and Federal health, safety, and facility standards that will be developed, and it will authorize Federal agencies to pay for child care for low-income employees); the Postal Service will be requested to issue a stamp commemorating the 100th anniversary of the founding of the Veterans of Foreign Wars; data will be collected on former welfare recipients and bonus grants will be provided to States in which such former recipients are doing well; and 500 new Customs Service inspectors and agents will be hired.

The Campbell (for DeWine) amendment would prohibit using funds from this Act to pay for abortions as a fringe benefit under Federal Employee Health Benefit (FEHB) insurance policies except when necessary to save the life of a mother, or when a pregnancy resulted from rape or incest.

Debate was limited by unanimous consent. After debate, Senator Boxer moved to table the amendment. Generally, those favoring the motion to table opposed the amendment; those opposing the motion to table favored the amendment.

NOTE: After the failure of the motion to table, the DeWine amendment was adopted by voice vote. The bill subsequently was adopted by voice vote as well.

Those favoring the motion to table contended:

Abortion is a legal medical procedure. More than 20 years ago, a courageous Supreme Court announced that the Constitution guarantees a woman the right to choose. Some of our colleagues have not yet accepted that decision. They are determined to roll back the clock on women's rights by gradually gutting, watering down, and stripping away the right to procure an abortion. The DeWine amendment would significantly harm the right of 1.2 million Federal employees to choose. It would forbid Federal employee health benefit plans from offering abortion services coverage. Federal health insurance is not something that is given--it is earned. If a woman chooses a health care plan that pays for abortions, she is choosing that plan with her money, not the Federal Government's. She is choosing that plan in the same way that women in the private sector are able to choose health care plans. If those health plans are available to private sector employees they should be available to public sector employees as well. Public-sector employees should not be treated as second-class citizens. We therefore urge our colleagues to table the DeWine amendment.

Those opposing the motion to table contended:

The issue raised by this amendment is very narrowly drawn. We are not debating the Constitution; we are not debating the legality of abortion; we are not in any way limiting the current situation which allows for abortion-on-demand, for any reason at any stage right up until the moment of birth. What we are debating is whether the American taxpayers have to pay for abortions as a fringe benefit to Federal employees as part of their health insurance policies, and if so, under what circumstances.

Abortion is not just another medical procedure. Those Senators who describe it this way are not being constructive. It is the most divisive issue in America this century. On one side, we have those Americans, including ourselves, who view preborn children as fully human, though small and defenseless, with an inalienable right to life that cannot be morally or logically denied. On the other side, we have those Americans who argue that humanity is not reached until a certain level of development, however imprecisely defined, is reached. The most extreme of those Americans believe that in every case it should be left to each woman to determine for herself at what point the right to life begins, right up until the moment of birth. However, even extreme pro-choice groups such as Planned Parenthood say that they want abortion to be rare, which shows they understand that abortion is not just another medical procedure--the emotional and spiritual consequences of ending a life, even if one does not accept that the life is sufficiently developed to be given constitutional protection, are often severe.

Given the unique nature of this operation, the question before the Senate is whether it should be funded by the Federal Government as though it were any other operation. In poll after poll for the past 2 decades the overwhelming majority of Americans have said no. Americans, whether pro-life, pro-choice, or somewhere in between have too many reservations themselves, and have too much respect for the views of those who oppose abortion, to support public funding of it. The controlling court case for this amendment is not *Roe v. Wade*, which discovered the right to an abortion written between the lines of the Constitution, but *Harris v. McRae*, which held that the Federal Government does not have to fund abortion. Some insurance companies pay for abortions; others do not. Employers can pick or design insurance policies with or without abortion coverage. In the case of Federal employees, the employers are the American people, and the American people do not want their tax dollars used to pay for abortion-on-demand as an employee fringe benefit. They pay an average of 73 percent of the costs of Federal employees' health insurance policies, and they do not want that money being used to pay for abortion coverage on demand and at any stage of pregnancy.

Since 1984 (except in 1993 and 1994 when President Clinton managed to require Federal Government abortion insurance) the United States' policy has been to prohibit using taxpayer funds to purchase abortion coverage. During the 2 years of the Clinton policy, people who were unalterably opposed to abortion were forced to pay for an estimated 17,000 abortions each year for any reason. If Senators do not approve the DeWine amendment, the American people will again be forced to pay for such abortions. We urge our colleagues to respect the wishes of the American people by voting for the DeWine amendment.